

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Robert J. Ahart
Karen E. Ahart
fka Karen E. Engle**
Debtor(s)

Bankruptcy Case No.: 14-24782-GLT
Issued Per 7/27/2017 Proceeding
Chapter: 13
Docket No.: 86 - 77
Concil. Conf.: October 5, 2017 at 10:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 15, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Oct. 5, 2017 at 10:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: A fee application is needed if any fee (including retainer) exceeds \$4,000.00 including any fees paid to prior counsel.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

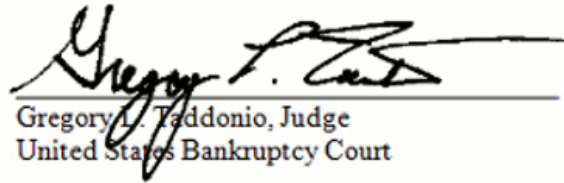
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: July 27, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Robert J. Ahart
 Karen E. Ahart
 Debtors

Case No. 14-24782-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

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 Total Noticed: 37

Date Rcvd: Jul 27, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 29, 2017.

db/jdb
 cr +Robert J. Ahart, Karen E. Ahart, 1052 Sweet Brier Drive, Aliquippa, PA 15001-6502
 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: Nationstar Mortgage LLC, 350 Highland Drive,
 Lewisville, TX 75067)
 cr +Peoples Natural Gas Company, LLC, Attn: Dawn Lindner, 375 North Shore Drive, Suite 600,
 Pittsburgh, PA 15212-5866
 13965123 +A&S Fcu, 2283 Broadhead Rd, Aliquippa, PA 15001-4674
 13965124 +Aes/Nct, Aes/Ddb, Po Box 8183, Harrisburg, PA 17105-8183
 13965125 ++BERKSHIRE BANK, PO BOX 1308, PITTSFIELD MA 01202-1308
 (address filed with court: Berkshire Bank, 66 West St, Pittsfield, MA 01201)
 14319057 Berkheimer, PO Box 25153, Lehigh Valley, PA 18002-5153
 13965130 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Citibank Sd, Na, Attn: Centralized Bankruptcy, Po Box 20363,
 Kansas City, MO 64195)
 13965127 +Cap One, Po Box 30253, Salt Lake City, UT 84130-0253
 13965128 +Capital 1 Bank, Attn: General Correspondence, Po Box 30285,
 Salt Lake City, UT 84130-0285
 14023097 +Cavalry SPV I, LLC, Bass & Associates, P.C., 3936 E. Ft. Lowell Road, Suite #200,
 Tucson, AZ 85712-1083
 13965129 +Chase Manhattan Mortgage, Attn: Bankruptcy Dept, 3415 Vision Dr, Columbus, OH 43219-6009
 13965132 +Credit Mgmt, Re: Time Warner Cable, 4200 International, Carrollton, TX 75007-1912
 13965133 +Dept Of Edu/osla Service, 525 Central Park Dr Ste, Oklahoma City, OK 73105-1723
 14008500 ECAST SETTLEMENT CORPORATION, ASSIGNEE, OF CITIBANK, N.A., POB 29262,
 NEW YORK, NY 10087-9262
 13965135 Internal Revenue Service, Insolvency Unit, William S. Moorhead Federal Building,,
 Charleroi, PA 15022
 14035164 +JPMorgan Chase Bank, N.A., 3415 Vision Drive, OH4-7142, Columbus, OH 43219-6009
 13965136 +Medicredit, PO BOX 1629, Maryland Heights, MO 63043-0629
 13965137 +Merc Adj Bur, Re: National Grid, Po Box 9016, Williamsville, NY 14231-9016
 13992499 +National Collegiate Student Loan Trust-2005-3, Po Box 4275, Norcross, GA 30091-4275
 13965139 OSLA, PO Box 18475, Oklahoma City, OK 73154-0475
 14000625 +Peoples Natural Gas Company LLC, 375 North Shore Drive, Suite 600,
 Pittsburgh, PA 15212-5866
 13965142 +Rjm Acq Llc, Re: Scholastic, 575 Underhill Blvd Ste 2, Syosset, NY 11791-3426
 13965141 +Rjm Acq Llc, Re: Children S Book Of The Month C, 575 Underhill Blvd., Suite 224,
 Syosset, NY 11791-3416
 13982440 +Ronald Ahart, 2614 County Rt 7, Oswego, NY 13126-5710
 13965143 +Verizon Inc., PO Box 3397, Bloomington, IL 61702-3397

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

13986857 +E-mail/Text: bankruptcies@berkshirebank.com Jul 28 2017 01:21:36 Berkshire Bank,
 PO Box 1308, Pittsfield, MA 01202-1308
 13965126 +E-mail/Text: support@bullcityfinancial.com Jul 28 2017 01:21:31 Bullcity Financial Sol,
 RE: Triangle Physicians For Women, 1107 W Main St Ste 201, Durham, NC 27701-2028
 14004157 +E-mail/Text: bankruptcy@cavps.com Jul 28 2017 01:21:16 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340
 13965131 +E-mail/Text: bankruptcy_notifications@ccsusa.com Jul 28 2017 01:21:31
 Credit Collection Services Inc., Re: Nationwide Insurance, Two Wells Avenue,
 Newton Center, MA 02459-3225
 14017632 +E-mail/Text: DQENOTICES@BERNSTEINLAW.COM Jul 28 2017 01:21:39 Duquesne Light Company,
 c/o Peter J. Ashcroft,, Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,,
 Pittsburgh, PA 15219-1945
 13966023 +E-mail/Text: bankruptcy@huntington.com Jul 28 2017 01:20:58 Huntington National Bank,
 P O Box 89424, Cleveland OH 44101-6424
 13965134 +E-mail/Text: bankruptcy@huntington.com Jul 28 2017 01:20:58 Huntington National Bank,
 PO Box 1558 EALW37, Columbus, OH 43216-1558
 13981025 +E-mail/Text: bncmail@w-legal.com Jul 28 2017 01:21:09 NATIONSTAR MORTGAGE, LLC,
 C/O Weinstein & Riley, P.S., 2001 Western Avenue, Ste. 400, Seattle, WA 98121-3132
 13997800 +E-mail/Text: apbankruptcy@us.ngrid.com Jul 28 2017 01:21:44 National Grid,
 c/o Bankruptcy Department C-1, 300 Erie Blvd West, Syracuse, NY 13202-4250
 13965140 +E-mail/PDF: resurgentbknofications@resurgent.com Jul 28 2017 01:17:53
 Pinnacle Credit Service, Attn: Bankruptcy, Re: Verizon Wireless, Po Box 640,
 Hopkins, MN 55343-0640
 13982441 E-mail/PDF: clerical@simmassociates.com Jul 28 2017 01:24:11 Simm Associates, Inc.,
 Re: National Collegiate Trust/PHEAA, PO Box 7526, Newark, DE 19714-7526

TOTAL: 11

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Duquesne Light Company
 cr JPMORGAN CHASE BANK, NATIONAL ASSOCIATION

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 2
Total Noticed: 37

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13965138* ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
(address filed with court: Nationstar Mortgage LLC, Attn: Bankruptcy, 350 Highland Dr,
Lewisville, TX 75067)
TOTALS: 2, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 29, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 27, 2017 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
agornall@goldbecklaw.com, bkgroup@goldbecklaw.com; bkgroup@kmlawgroup.com
Bryan P. Keenan on behalf of Plaintiff Robert J. Ahart keenan662@gmail.com,
melindap662@gmail.com
Bryan P. Keenan on behalf of Joint Debtor Karen E. Ahart keenan662@gmail.com,
melindap662@gmail.com
Bryan P. Keenan on behalf of Debtor Robert J. Ahart keenan662@gmail.com, melindap662@gmail.com
James Warmbrodt on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
bkgroup@kmlawgroup.com
Kevin Scott Frankel on behalf of Creditor Nationstar Mortgage LLC pabk@logs.com
LeeAne O. Huggins on behalf of Creditor Nationstar Mortgage LLC pabk@logs.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
ckutch@ecf.courtdrive.com; pashcroft@ecf.courtdrive.com; pghecf@bernsteinlaw.com; dschimizzi@bernste
inlaw.com; acarr@bernsteinlaw.com; cabbott@ecf.courtdrive.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company, LLC sjw@sjwpgh.com,
srk@sjwpgh.com; PNGbankruptcy@peoples-gas.com

TOTAL: 11